BY-LAW PROHIBITING THE DISTRIBUTION OF CERTAIN SHOPPING BAGS IN RETAIL STORES

In view of sections 6 and 19 of the Municipal Powers Act (CQLR, chapter C-47.1);

In view of sections 369 and 411 of the Cities and Towns Act (CQLR, chapter C-19);

At its meeting of August 22, 2016, city council enacts:

SECTION I
PRELIMINARY PROVISIONS

1. The object of this by-law is to ban the distribution of certain shopping bags made of traditional, oxo-degradable or biodegradable plastic in the retail stores located on the city’s territory in order to encourage a change of behaviour regarding the use of these types of bags and thus reduce their environmental impact.

2. In this by-law, the following words mean:

“biodegradable bag”: bag that can be decomposed by micro-organisms, resulting in the formation of water, carbon dioxide, inorganic compounds and biomass that are non-toxic for the environment;

“oxo-degradable or oxo-fragmentable plastic bag”: bag made of petroleum-based plastic to which oxidizing agents are added to stimulate its degradation into smaller pieces that may be invisible to the naked eye, but that are not biodegradable;

“retail store”: an establishment whose main activity is the sale of merchandise at the retail level;

“shopping bag”: bag offered to clients at the check-out counter in retail stores to carry out their merchandise;

“traditional plastic bag”: bag made of petroleum-based plastic that is not biodegradable.
SECTION II
PROHIBITIONS

3. It is prohibited to offer clients in retail stores, against payment or free of charge, traditional plastic shopping bags less than 50 microns thick, as well as oxo-degradable, oxo-fragmentable or biodegradable plastic bags, regardless of their thickness.

4. The prohibition under article 3 does not apply to plastic bags that are used exclusively carry food products, such as fruits, vegetables, nuts, bulk snacks, ready-to-eat foods, meat, fish, bread and dairy products to the check-out counter or to protect these food products from direct contact with other items for reasons of hygiene.

SECTION III
INSPECTION POWERS, OFFENCES AND PENALTIES

5. Any city employee responsible for the application of this by-law may visit or inspect any retail store and request any information for the purposes of application of this by-law.

6. Any person who interferes in any way with the carrying out of interventions under article 5 of this by-law contravenes this by-law.

7. Any person who contravenes this by-law is guilty of an offence and is liable:

   (1) in the case of an individual:

      (a) for a first offence, to a fine of $200 to $1,000;

      (b) for a subsequent offence, to a fine of $300 to $2,000.

   (2) in the case of a corporation:

      (a) for a first offence, to a fine of $400 to $2,000;

      (b) for a subsequent offence, to a fine of $500 to $4,000.

CHAPITRE IV
FINAL PROVISION

8. This by-law comes into force in accordance with the law. However, articles 3 and 4 will only take effect on January 1, 2018.
The public notice relating to this by-law was posted at city hall and published in *The Gazette* on August 30, 2016.